

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as currently amended, and in light of the following discussion is respectfully requested.

Claims 3, 5, and 9-27 are currently pending in the application; Claims 3, 5 and 16 are amended; new Claim 27 is added; and Claim 4 is canceled without prejudice or disclaimer by the present amendment. No new matter is presented.

In the outstanding Official Action, Claim 3 was rejected under 35 U.S.C. § 102(e) as being unpatentable over Fichou et al. (U.S. Patent No. 5,790,522); Claims 4-5 were objected to as being dependent upon rejected Claim 3, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims; and Claims 9-24 were indicated as being allowed.¹

In the present amendment, Claim 3 has been amended to incorporate the allowable subject matter of Claim 4, and Claim 5 has been amended to depend from amended Claim 3 instead of canceled Claim 4. Accordingly, the outstanding rejection of Claim 3 under 35 U.S.C. § 102(e) has been rendered moot.

Regarding Claim 16, the outstanding Official Action indicated that this claim was allowed. However, since Claim 16 depended from Claim 3, the Official Action has been interpreted to indicate that Claim 16 would be allowable if written in independent form including the limitations of Claim 3. Accordingly, Claim 16 has been amended to be in independent form and is now believed to be allowable.

Finally, new Claim 27, which depends from allowed Claim 9 has been added. As new Claim 27 corresponds to original Claim 8 and depends from allowed Claim 9, it is

¹ The Outstanding Official Action, at page 4, lines 2-5, states that "Claims 9-24 are allowed." However, new Claims 25-26 were added by the previous amendment, and as these claims depend from allowed Claim 9, the omission of these Claims from the listing of allowable claims appears to be an error.

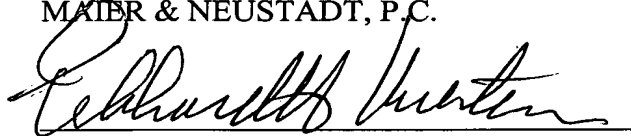
Application No. 09/400,428
Reply to Office Action of November 19, 2004

respectfully submitted that no new matter is added and new Claim 27 is allowable over the references of record.

If the Examiner believes any additional formal matter need to be addressed in order to place this application in condition for allowance, the Examiner is respectfully requested to contact the undersigned by telephone at the Examiner's convenience.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read 'Eckhard H. Kuesters', is written over a horizontal line.

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